

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

RABINDRANATH DUTTA ET AL.

Serial No. 09/535,581

Filed: 27 MARCH 2000

For: DETECTING COPYRIGHT
VIOLATION VIA STREAMED
EXTRACTION AND SIGNATURE
ANALYSIS IN A METHOD, SYSTEM
AND PROGRAM BACKGROUND OF
THE INVENTION

ATTORNEY DOCKET NO. AUS990891US1

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Examiner: PIERRE EDDY ELISCA

Group Art Unit: 3621

RESPONSE D UNDER 37 C.F.R. § 1.196(c)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response is submitted in response to a telephone conversation with the Examiner on May 2, 2005, responsive to a Final Rejection mailed on March 31, 2005. During that conversation, the Examiner stated that he never received the attached Formal Amendment, which was filed with the USPTO via facsimile transmission on October 6, 2004. Rather, the Examiner has examined only the attached Proposed Amendment which was sent to the Examiner on September 13, 2004.

Certificate of Transmission/Mailing

I hereby certify that this correspondence is being facsimile transmitted to the USPTO at 703-872-9306 or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date shown below.

Typed or Printed Name: James E. BoiceDate: May 2, 2005Signature: 

AUS990891US1 - Response D

As it appears that the USPTO has entered the incorrect amendment into its electronic system, and per the recommendation of the Examiner, Applicants now request that the Examiner examine the attached Formal Amendment originally filed on October 6, 2004. Applicants further request that the Examiner provide additional time to respond to any rejections of the claims pending in the October 6, 2004 Formal Amendment.

Applicants appreciate the time and courtesy extended by the Examiner, and will call the Examiner during the week of May 9, 2005, to discuss the pending amendments.

No extension of time for this response is believed to be necessary. However, in the event an extension of time is required, that extension of time is hereby requested. Please charge any fee associated with an extension of time as well as any other fee necessary to further the prosecution of this application to **IBM CORPORATION DEPOSIT ACCOUNT No. 09-0447**.

Respectfully submitted,



James E. Boice
Registration No. 44,545
BRACEWELL & PATTERSON, L.L.P.
P.O. Box 969
Austin, Texas 78767-0969
(512) 343-6116

ATTORNEY FOR APPLICANTS

FAX No. 5123436446

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AMENDMENT C UNDER 37 C.F.R. § 1.196(c)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

This Amendment is submitted in response to the Decision on Appeal from the USPTO Board of Patent Appeals and Interferences (“the Board”) dated August 6, 2004, with reference to Appeal No. 2003-2068. In that decision, the Board reversed the Examiner’s rejections, but created new grounds for rejections, thus reopening prosecution. The decision provides that an appropriate amendment of the claims or a showing of facts related to the claims so rejected, or both, must be submitted by October 6, 2004, which amendment will be remanded to the Examiner.

Therefore, please amend and remand the above-identified application as follows:

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Typed or Printed Name: James E. Boice

Date: October 6, 2004

Signature:

AUS990891US1 ~ Amendment C